

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of

Massachusetts

STATE OF CALIFORNIA, ex rel. VEN-A-CARE
OF THE FLORIDA KEYS, INC., a Florida
Corporation,
V.

SUMMONS IN A CIVIL ACTION

ABBOTT LABORATORIES, INC., et al.
See Addendum Sheet for Additional Defendants

CASE NUMBER: MDL 1456, No. 01-12257-PBS

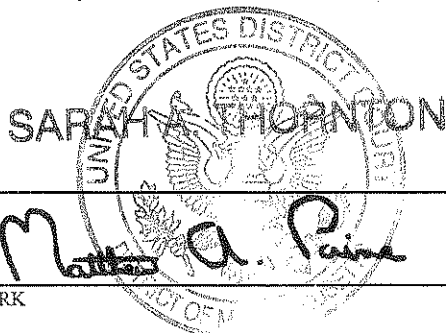
TO: (Name and address of Defendant)

BEN VENUE LABORATORIES, INC.
300 Northfield Road
Bedford, OH 44146

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BILL LOCKYER, Attorney General of the State of California
Thomas A. Temmerman, Sr. Assistant Attorney General
1455 Frazee Road, Suite 315
San Diego, CA 92108

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



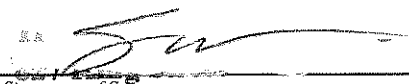
CLERK

(By) DEPUTY CLERK

DATE

OCT - 6 2005

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	10-25-05
NAME OF SERVER (PRINT) Sean McCollam	TITLE	Legal Courier
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input checked="" type="checkbox"/> Other (specify): registered agent: Scott LaScala Corporation Trust Company 1209 Orange Street Wilmington, DE 19801		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>10-25-05</u> _____ Date</p> <p style="text-align: center;">  Signature of Server </p> <p style="text-align: center;"> TriState Courier & Carriage, Inc. 827 King Street Address of Server <u>Wilmington, DE 19801</u> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ADDENDUM TO SUMMONS IN A CIVIL ACTION

STATE OF CALIFORNIA, ex rel. VEN-A-)	MDL No. 1456
CARE OF THE FLORIDA KEYS, INC., a)	Master File No. 01-12257-PBS
Florida Corporation,)	
)	(Original Central District of California
Plaintiffs,)	No. 03-CV-2238)
)	
v.)	
)	
ABBOTT LABORATORIES, INC.; AMGEN,)	
INC.; ARMOUR PHARMACEUTICAL CO.;)	
AVENTIS BEHRING, L.L.C.; AVENTIS)	
PHARMACEUTICALS, INC.; B. BRAUN)	
MEDICAL, INC.; B. BRAUN OF AMERICA,)	
INC.; BAXTER HEALTHCARE CORP.;)	
BEDFORD LABORATORIES; BEN VENUE)	
LABORATORIES, INC.; BOEHRINGER)	
INGELHEIM CORP.; BOEHRINGER)	
INGELHEIM PHARMACEUTICALS INC.;)	
BRISTOL-MYERS SQUIBB COMPANY)	
a/k/a BRISTOL-MYERS ONCOLOGY)	
DIVISION/HIV PRODUCTS; C.H.)	
BOEHRINGER SOHN)	
GRUNDSTUCKSVERWALTUNG GMBH &)	
CO. KG; DEY, INC.; DEY, L.P.; EMD, INC.;)	
GENEVA PHARMACEUTICALS INC.;)	
GENSIA INC.; GENSIA SICOR, INC.;)	
GLAXO WELLCOME INC. f/k/a)	
BURROUGHS WELLCOME CO.;)	
GLAXOSMITHKLINE PLC; HOECHST)	
MARION ROUSSEL, INC.; IMMUNEX)	
CORP.; LIPHA, S.A.; McGAW, INC.;)	
MERCK KGaA; MYLAN LABORATORIES,)	
INC.; MYLAN PHARMACEUTICALS, INC.;)	
NOVARTIS AG; PHARMA INVESTMENT,)	
LTD.; ROXANE LABORATORIES, INC.;)	
SANDOZ, INC.; SCHERING-PLOUGH)	
CORP.; SICOR, INC. f/k/a GENSIA)	

ADDENDUM TO SUMMONS IN A CIVIL ACTION

MDL No. 1456

Master File No. 01-12257-PBS

PHARMACEUTICALS, INC.; SMITHKLINE)
BEECHAM CORPORATION d/b/a)
GLAXOSMITHKLINE; TEVA)
PHARMACEUTICAL INDUSTRIES, LTD.;)
WARRICK PHARMACEUTICALS CORP.;)
Z.L.B. BEHRING,)
)
)
Defendants.)

TO: (Name and address of Defendants)

ABBOTT LABORATORIES, INC.
100 Abbott Park Road
Abbott Park, IL 60064-6057

AMGEN, INC.
One Amgen Center Drive
Thousand Oaks, CA 91320-1799

ARMOUR PHARMACEUTICAL CO.
300 Somerset Corporate Blvd.
Bridgewater, NJ 08807

AVENTIS BEHRING, L.L.C.
1020 First Avenue
King of Prussia, PA 19406-1310

AVENTIS PHARMACEUTICALS, INC.
400 Somerset Corporate Blvd.
Bridgewater, NJ 08807

B. BRAUN MEDICAL, INC.
824 Twelfth Avenue
Bethlehem, PA 18018

ADDENDUM TO SUMMONS IN A CIVIL ACTION

MDL No. 1456

Master File No. 01-12257-PBS

B. BRAUN OF AMERICA, INC.
824 Twelfth Avenue
Bethlehem, PA 18018

BAXTER HEALTHCARE CORP.
One Baxter Parkway
Deerfield, IL 60015

BEDFORD LABORATORIES
300 Northfield Road
Bedford, OH 44146

BEN VENUE LABORATORIES, INC.
300 Northfield Road
Bedford, OH 44146

BOEHRINGER INGELHEIM CORP.
900 Ridgebury Road
Ridgefield, CT 06877

BOEHRINGER INGELHEIM PHARMACEUTICALS INC.
900 Ridgebury Road
Ridgefield, CT 06877

BRISTOL-MYERS SQUIBB COMPANY a/k/a BRISTOL-MYERS ONCOLOGY
DIVISION/HIV PRODUCTS
345 Park Blvd.
New York, NY 10154

C.H. BOEHRINGER SOHN GRUNDSTUCKSVERWALTUNG GMBH & CO. KG
Binger Strasse 173
D-55216 Ingelheim
Germany

DEY, INC.
2751 Napa Valley Corporate Dr.
Napa, CA 94558

ADDENDUM TO SUMMONS IN A CIVIL ACTION

MDL No. 1456

Master File No. 01-12257-PBS

DEY, L.P.
2751 Napa Valley Corporate Dr.
Napa, CA 94558

EMD, INC.
3211 Shannon Road
Durham, NC 27707

GENEVA PHARMACEUTICALS INC.
506 Carnegie Center, Suite 400
Princeton, NJ 08540

GENSIA INC.
19 Hughes
Irvine, CA 92618-1902

GENSIA SICOR, INC.
19 Hughes
Irvine, CA 92618-1902

GLAXO WELLCOME INC. f/k/a BURROUGHS WELLCOME CO.
Attention: Tax Department
Five Moore Drive
Research Triangle Park, NC 27709

GLAXOSMITHKLINE PLC
980 Great West Road
Brentford, Middlesex
United Kingdom
TW8 9GS

HOECHST MARION ROUSSEL, INC.
400 Somerset Corporate Blvd.
Bridgewater, NJ 08807

IMMUNEX CORP.
51 University Street
Seattle, WA 98101

ADDENDUM TO SUMMONS IN A CIVIL ACTION

MDL No. 1456

Master File No. 01-12257-PBS

LIPHA, S.A.
37 rue Saint-Romain,
69379 Lyon cedex 08
France

McGAW, INC.
2525 McGaw Avenue
Irvine, CA 92614-5895

MERCK KGaA
Frankfurter Str. 250
Darmstadt
D-64293
Germany

MYLAN LABORATORIES, INC.
1500 Corporate Drive, Ste. 400
Canonsburg, PA 15317

MYLAN PHARMACEUTICALS, INC.
781 Chestnut Ridge Road
Morgantown, WV 26505

NOVARTIS AG
Lichtstrasse 35
CH-4002 Basel
Switzerland

PHARMA INVESTMENT, LTD.
5180 South Service Road
Burlington, Ontario
Canada L7L 5H4

ROXANE LABORATORIES, INC.
1809 Wilson Road
Columbus, OH 43228

ADDENDUM TO SUMMONS IN A CIVIL ACTION

MDL No. 1456

Master File No. 01-12257-PBS

SANDOZ, INC., f/k/a GENEVA PHARMACEUTICALS, INC.
506 Carnegie Center, Suite 400
Princeton, NJ 08540

SCHERING-PLOUGH CORP.
2000 Galloping Hill Road
Kenilworth, NJ 07033-0530

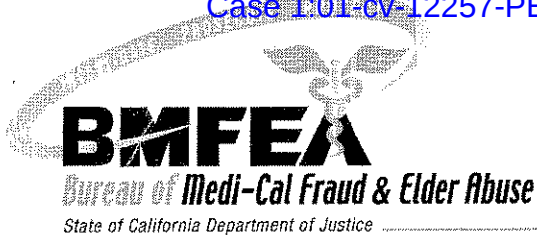
SICOR, INC. f/k/a GENSLIA PHARMACEUTICALS, INC.
19 Hughes
Irvine, CA 92618-1902

SMITHKLINE BEECHAM CORPORATION d/b/a GLAXOSMITHKLINE
One Franklin Plaza
Philadelphia, PA 19101

TEVA PHARMACEUTICAL INDUSTRIES, LTD.
1090 Horsham Road
North Wales, PA 19454

WARRICK PHARMACEUTICALS CORP.
2000 Galloping Hill Rd.
Kenilworth, NJ 07033-0530

Z.L.B. BEHRING
1020 First Avenue
King of Prussia, PA 19406-1310



Office of Attorney General
Bill Lockyer

October 24, 2005

Bureau of
Medi-Cal Fraud
and Elder Abuse

1455 Frazee Road, Suite 315
San Diego, California 92108
Telephone: (619) 688-6021
Facsimile: (619) 688-4200

Tri State Courier
Attention: Tom Martin
827 King Street
Wilmington, DE 19801

Re: State of California, ex rel., et al. v. Abbot Laboratories, Inc., et al.
United States District Court/District of Massachusetts
MDL No. 1456, Master File No. 01-12257-PBS

Dear Mr. Martin:

I have enclosed the following documents for service on Defendant **Ben Venue Laboratories, Inc.:**

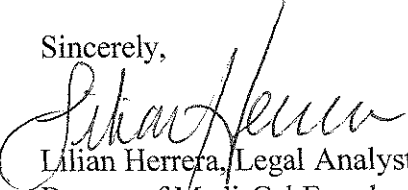
1. Original and one copy of the Summons;
2. A copy of the Complaint, with attached redacted Exhibits; and
3. A copy of un-redacted Exhibit "N".

The designated Agent for Service for the above company is as follows:

The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

Please serve all the above listed documents on Defendant. Please complete the service part of the Summons and return the executed original Summons to me. If you have any questions, please feel free to contact me at (619) 688-6021.

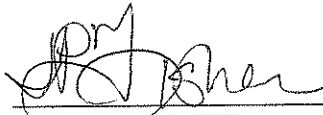
Sincerely,


Lilian Herrera, Legal Analyst
Bureau of Medi-Cal Fraud and Elder Abuse

For BILL LOCKYER
Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I, John P. Fisher, Deputy Attorney General, Bureau of Medi-Cal Fraud and Elder Abuse, for the State of California, caused a true and correct copy of the foregoing **Summons In A Civil Action Returned Executed as to Ben Venue Laboratories, Inc. and Letter To The Corporation Trust Company dated 10/24/05** to be served electronically on counsel of record pursuant to Paragraph 11 of the Case Management Order No. 2, by sending a copy to LexisNexis File and Service for posting and notification to all parties on November 1, 2005.

A handwritten signature in black ink, appearing to read 'JP Fisher', is written over a horizontal line.

JOHN P. FISHER

Deputy Attorney General

Bureau of Medi-Cal Fraud and Elder Abuse

State of California

1455 Frazee Road, Suite 315

San Diego, CA 92108

Tel: (619) 688-6673

Fax: (619) 688-4200